
9.5 Municipal Governments

For Canadian environmental engineers, municipal governments probably represent the least attractive level of opportunity among the three tiers. Generally, municipal work is of a local nature, civil construction, roadwork, sewers, and the like and often involves governments that have long-established relationships with firms in the area.

Canadian firms may have some success in entering the municipal environmental market if they offer highly specialized expertise and align locally. For these firms, we offer the following random insights obtained from representatives of U.S. municipalities.

- Some, though not all, municipalities adhere to the Brooks Act⁵, which generally stipulates that qualifications-based selection be followed and that lowest price bids need not necessarily win the contract.
- Contracting is generally administered by individual municipal departments, such as engineering, water, etc.
- Municipal requirements are usually advertised in the local newspapers, to which firms respond with a Letter of Interest outlining their qualifications to do the work.
- The city then reviews these, shortlists on the basis of firm's experience and qualifications and issues an RFP for two documents - a Technical Proposal and a Price Proposal.
- If not simply awarded to the lowest bid, the municipal government will evaluate the technical proposals first and rank the firms according to a number of selection criteria, before negotiating an acceptable price with the first ranked firm. Some of the selection criteria include; location of firm, participation of minority peoples, etc. In the case profiled, out-of-state and out-of-country firms are awarded equally - each receiving no points for this category (versus 10 points for an in-city firm).
- It is not at all unusual for six or more months to elapse from initial notification to signing of contract. Some municipalities have standing offer agreements, where certain specialized services would be procured directly without a competitive process. For example, one municipality uses a standing offer to procure geo-technical services for eroded slopes which have caused landslides.
- Company expertise is however the most important qualification criteria and if states cannot source the appropriate expertise locally, outside firms would certainly be called upon.

⁵ The Brooks Act generally stipulates that qualifications-based selection be followed, where lowest price bids need not necessarily win the contract. Around 35 states apply Brook's Act requirements to their procurement, while a number of other states that do not have state procurement laws generally adhere to Brooks Act selection procedures. The ACEC in the United States generally has the advancement of qualifications-based selection as a priority activity.